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*[Counsel continued on next page]*

**UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA  
 WESTERN DIVISION – LOS ANGELES**

Frankel, et al.,

Plaintiffs,

v.

Regents of the University of  
 California, et al.,

Defendants.

Case No. 2:24-CV-4702-MCS

**DECLARATION OF MATTHEW R.  
 COWAN IN SUPPORT OF  
 DEFENDANTS' OPPOSITION TO  
 PLAINTIFFS' MOTION FOR  
 PRELIMINARY INJUNCTION**

Judge: Hon. Mark C. Scarsi  
 Courtroom: 7C  
 Hearing: July 29, 2024 9 A.M. PT

1 *[Counsel continued from previous page]*

2 Charles Robinson (S.B. #113197)\*

3 Norman Hamill (S.B. #154272)\*

4 Rhonda Goldstein (S.B. #250387)\*

5 Morae Kim (S.B. #326819)\*

6 The Regents of the University of California

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8 Oakland, California 94607-5201

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11 *Attorneys for Defendants*

12 *\*Notice of Appearance forthcoming*

1 I, MATTHEW R. COWAN, declare as follows:

2 1. This declaration is submitted in support of Defendants' Opposition to  
3 Plaintiffs' Motion for Preliminary Injunction.

4 2. I am an attorney duly licensed to practice before all of the courts of the  
5 State of California. I am a partner with the law firm O'Melveny & Myers LLP,  
6 counsel of record for Defendants in the above-captioned action. I have personal  
7 knowledge of the matters stated herein and, if called upon, I could and would  
8 competently testify hereto.

9 3. Plaintiffs filed the Complaint in this action on June 5, 2024 (ECF  
10 No. 1).

11 4. Defendants retained O'Melveny & Myers LLP as counsel in this  
12 action on June 17, 2024.

13 5. On June 21, 2024, counsel for Defendants met and conferred with  
14 counsel for Plaintiffs to discuss specific steps Defendants could take that would  
15 obviate Plaintiffs' need to seek preliminary injunctive relief.

16 6. Plaintiffs' counsel suggested that they would consider not filing a  
17 motion for preliminary injunctive relief if Defendants would agree to a consent  
18 decree with respect to the activities of police and security officers on campus.

19 7. Defendants' counsel asked Plaintiffs' counsel for more specific terms  
20 for a consent decree and for more specific actions Defendants could take that would  
21 foreclose the need for motion practice.

22 8. Plaintiffs' counsel stated they would speak with their clients and see if  
23 they could propose something with respect to specific terms but believed that  
24 Plaintiffs would need to move forward with filing for preliminary injunctive relief.

25 9. Plaintiffs filed their Motion for a Preliminary Injunction on June 24,  
26 2024 (ECF No. 48).

27 10. On June 26, 2024, Plaintiffs' counsel and Defendants' counsel met and  
28 conferred again to discuss the relief requested in Plaintiffs' Motion for a

1 Preliminary Injunction.

2 11. Defendants' counsel explained that Defendants believe that the relief  
3 requested in Plaintiffs' Motion for a Preliminary Injunction amounts to no more  
4 than a request for Defendants to follow the law, which they are already doing.

5 12. Defendants' counsel asked Plaintiffs' counsel whether there are any  
6 specific policies that the Plaintiffs believe are facially discriminatory. Plaintiffs'  
7 counsel did not identify any such policies.

8 13. Attached as **Exhibit 1** is a true and correct copy of the May 7, 2024  
9 statement from the University of California Office of the President.

10 14. Attached as **Exhibit 2** is a true and correct copy of a May 23, 2024  
11 statement from UCLA Chancellor Gene D. Block.

12 I declare under penalty of perjury under the laws of the United States that the  
13 foregoing is true and correct. Executed this 8th day of July, 2024, at Los Angeles,  
14 California.

15 Dated: July 8, 2024

Respectfully submitted,

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18 By: /s/ Matthew R. Cowan  
19 MATTHEW R. COWAN  
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